

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Meadow *et al.*

Appl. No.: 09/901,124

Filed: July 10, 2001

For: **Check Authorization System and
Method**

Confirmation No.: 7209

Art Unit: 3684

Examiner: Nguyen, Nga B.

Atty. Docket: 2222.4960001

Statement of Substance of Interview Under 37 C.F.R. § 1.133(b)

Mail Stop Issue Fee

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Further to the telephonic interview conducted between the Examiner and Applicants' representative, Ross G. Hicks, on February 10, 2010, Applicants submit the following Statement of Substance of Interview conducted between the Examiner and the undersigned in compliance with 37 C.F.R. § 1.133(b).

During a telephonic interview on February 10, 2010, Applicants' representative indicated that Applicants wish to move forward to allowance with claims 1-4, 6-8, 48 and 49. Accordingly, the Examiner was authorized to cancel claims 12 and 13 without prejudice to the subject matter contained therein through an Examiner's Amendment. Thus, Applicants agree with the Examiner's Interview Summary regarding these claims.

The Examiner's Interview Summary mailed February 18, 2010 indicates that the Examiner was further authorized by Applicants' representative to amend claims 4 and 49. No discussion took place as to any amendments concerning claims 4 and 49, nor was there any discussion concerning any other claim amendments beyond that

described above. Indeed, Applicants have previously declined to make amendments of the type suggested for claims 4 and 49 since such claim language may be seen by some courts as being invalid under 35 U.S.C. §§ 101 and 112 under some Federal Circuit case law. *See Office Action Reply filed Sept. 18, 2009, p. 12.* Applicants respectfully reserve the right to file a 37 C.F.R. § 1.312 amendment to correct the Examiner's actions regarding claims 4 and 49.

The Examiner is invited to contact Applicants' undersigned representative at the number provided with any inquiries regarding this Statement.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Date: March 17, 2010

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